

R E M A R K S

Reconsideration of this application, as amended herein and as amended in the Amendment filed March 24, 2004, is respectfully requested.

THE CLAIMS

New claim 15 has been added, depending from claim 10, to recite the features of the present invention previously recited in canceled claim 5 whereby the image sensing apparatus further comprises a display unit for displaying the observation image obtained by the image sensing unit, a white balance correction unit for correcting white balance for the observation image sensed by the image sensing unit, a position designation unit for designating a desired position in the observation image displayed on the display unit, and a control unit for detecting white balance based on image data at the position designated by the position designation unit and controlling the white balance correction unit. And since new claim 15 depends from independent claim 10, it is respectfully submitted that claim 15 also patentably distinguishes over USP 6,169,816 ("Ravkin") for the reasons described in the Amendment filed March 24, 2004.

New independent claim 16 has been added corresponding to canceled claim 1. And it is respectfully submitted that new

independent claim 16 recites the patentably distinguishing features of claims 2 and 10 whereby a chromaticity determination unit determines chromaticity of the observation image based on the microscopy technique detected by the microscopy technique determination unit and determines a region where color balance is to be adjusted in the observation image, and a color balance adjustment unit adjusts color balance in accordance with a color balance adjustment amount arbitrarily set for the region of the observation image determined by the chromaticity determination unit; and whereby a luminance distribution determination unit calculates a luminance distribution of the observation image based on the microscopy technique detected by the microscopy technique determination unit and determines from the luminance distribution a region where tone is to be corrected in the observation image, and a tone adjustment unit corrects tone in accordance with a tone correction amount arbitrarily set for the region of the observation image determined by the luminance distribution determination unit. It is respectfully submitted, therefore, that new independent claim 16 also patentably distinguishes over Ravkin for the reasons set forth in the Amendment filed March 24, 2004.

Accordingly, it is respectfully submitted that new claims 15 and 16 patentably distinguish over Ravkin, taken singly or in

combination with Shinsky et al, under 35 USC 103, along with
patentably distinguishing claims 2-4 and 10-14.

* * * * *

In view of the foregoing, entry of this Supplemental
Amendment, allowance of the claims and the passing of this
application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or
recommendations, the Examiner is invited to telephone the
undersigned at the telephone number given below for prompt
action.

Respectfully submitted,



Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:iv